

## PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY  
FOR A PATENT APPLICATION

As a below named inventor, We hereby declare that:

My residence/post office address and citizenship are as stated below next to my name;

We believe we are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: APPARATUS AND METHOD FOR A HEAT ENGINE the specification of which is attached hereto unless the following box is checked:

( ) was filed on \_\_\_\_\_ as US Application Serial No. or PCT International Application  
Number \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

## Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

| COUNTRY | APPLICATION NUMBER | DATE FILED | PRIORITY CLAIMED UNDER 35 U.S.C. 119 |           |
|---------|--------------------|------------|--------------------------------------|-----------|
|         |                    |            | YES: _____                           | NO: _____ |
|         |                    |            | YES: _____                           | NO: _____ |

## Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

| APPLICATION SERIAL NUMBER | FILED DATE |
|---------------------------|------------|
|                           |            |
|                           |            |

## U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| APPLICATION SERIAL NUMBER | FILED DATE  | STATUS (patented/pending/abandoned) |
|---------------------------|-------------|-------------------------------------|
| 09/331607                 | 16-Aug-2001 | Published                           |
|                           |             |                                     |

## POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

George McGuire, Reg. No. 36,603  
Michael P. Williams, Reg. No. 43,271  
Robert J. Sinnema, Reg. No. 53,599  
David L. Nocilly, Reg. No. 48,259  
Charles S. McGuire, Reg. No. 20,385



I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: George E. Bitner

Citizenship: USA

Residence: 7794 Wallenback Road, Cleveland, NY 13042

Post Office Address: Same

Inventor's Signature: George E. Bitner

Date:

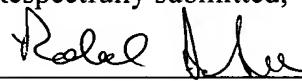
3/16/04

## STATEMENT

This application is a divisional of application s/n 09/931607, filed October 16, 2001 (the parent application). In prosecution of the parent application, the examiner issued an office action, dated March 11, 2002, in which the examiner identified four patentably distinct species of the invention in the application. In the parent application, Applicant elected to prosecute the species identified by the examiner as I (based on figures 1 & 2). In this application, Applicant elects to prosecute species identified by the examiner as IV (based on figures 5 & 6).

The examiner issued a final office action in the parent application, dated November 17, 2003. That final office action established a 3 month period in which to respond. This application is filed with a Petition for Extension of Time in which to respond, and is therefore co-pending with the parent application.

Respectfully submitted,



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